

CHAPTER 4

PASSENGERS AND ACCOMPANIED BAGGAGE

4000. Purpose. This chapter outlines the customs inspection and examination requirements for entry of passengers and crewmembers (includes patients, medical crews, and attendants), and their accompanied baggage and professional equipment (includes medical kits) into the CTUS.

4001. General. An inspection or examination is required of all passengers, crewmembers, accompanied baggage, and equipment on any DOD-sponsored ship, or aircraft departing an overseas area for the CTUS. This inspection/examination will be, accomplished by Military Customs Inspectors immediately prior to departure of the ship or aircraft, except as noted in paragraph 7005. The purpose of the inspection/examination is to detect articles that are prohibited entry into the CTUS or are admissible only under certain conditions. An effective overseas inspection/examination will expedite clearance by US Customs at the US port of entry. Inspection/examination of aeromedical evacuation crews, attendants, and patients will be conducted so as to preclude delays in patient movement.

4002. Predeparture inspection/examination procedures. a. Inspections/examinations are conducted to preclude the entry of—

(1) Prohibited and restricted articles, with particular attention to drugs and narcotics, firearms, and plant and animal products.

(2) Undeclared dutiable articles..

b. Before inspection/examination begins, MCIS will ensure that all passengers and crewmembers have been briefed or provided information on their responsibility; have been provided, as required, clarifying explanations of exemptions, restrictions, and prohibitions indicated on the reverse of the declaration form, DD Form 1854 (US Customs Accompanied Baggage Declaration) (fig. 4-1); and have been given ample opportunity to declare or dispose of all dutiable, prohibited, and restricted articles in their baggage or their immediate physical possession. An amnesty box will be made available to all passengers and crewmembers for deposit of prohibited or nonadmissible articles prior to inspection/examination.

c. All passengers/crewmembers and their accom-

panied baggage/professional equipment bound for the CTUS will undergo, as a minimum, a predeparture customs inspection, as defined in paragraph 2001j. An examination, as defined in paragraph 2001i, is not required. The degree to which passengers and crewmembers and their accompanied baggage/professional equipment are to be inspected/examined is to be left to the discretion of overseas commanders and military customs officials. Examination of personnel will be undertaken only when there is probable cause that contraband may be concealed on the suspect's person and with specific approval of the senior military customs inspector present at the inspection activity.

(1) In all cases where examination is conducted, the dignity and privacy of the individual will be preserved (a curtained booth/closed room may be used); no force will be applied; and no harsh language will be used. In the case of persistent refusal by a military member to be subjected to examination, the assistance of duly appointed law enforcement elements will be obtained before proceeding with the examination.

(2) Inspection or examination of civilians will not be conducted over their objection. Should these personnel refuse to submit to an inspection or examination, they will be denied access to the DoD-controlled ship or aircraft. They will be provided transportation by other practicable means under the provisions of appropriate directives, and US Customs representatives at the first port of entry will be notified.

(3) All accompanied baggage will be inspected/examined in the passenger's-crewmember's presence. Such baggage will be made available for inspection/examination by each passenger/crewmember with the exception of patients, whose baggage will be made available by medical crew/attendant, as appropriate. Once the baggage has been inspected/examined, it will be kept isolated in a sterile area until departure. Normally passengers/crews will not be allowed access to their baggage once it has been inspected/examined by the MCIs. In an emergency, the passengers may regain access to their baggage, but

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it must then be reinspected-reexamined completely.

d. If, while inspecting or examining a passenger or his/her baggage, an MCI suspects that a customs **violation** has occurred, he/she will call for the assistance of appropriate **military** enforcement officials. These officials will accept responsibility for the individual **and** any contraband, and will advise the individual regarding rights **prior** to further questioning.

4003. Customs declaration procedures. a. All personnel (including **crewmembers**) will **execute** DD Form 1854 (fig. 4-1) **, (civilian** crewmembers use Customs Form 5123), upon inspection/examination. All patients aboard **aeromedical** evacuation flights will also prepare a DD Form **1854**. Patients who are physically unable will have the form prepared by the medical crew or medical attendant, as appropriate.

★b. Duty-free entry limitations

(1) Permanent change of station (PCS) personnel. Military and civilian employees of the US Government and their accompanying dependents who are returning **to** the CTUS on PCS orders, or as indicated in paragraph 8003 of this regulation, are authorized duty-free entry into the CTUS of all personal and household effects which were in their direct personal **possession** while overseas, subject to the limitation of not more than 100 cigars for personal use and no more than 1 US gallon (128 **ozs**) of alcoholic beverages of which 3 quarts must be **manufactured and** bottled in the US provided that it accompanies the individual and is not for intended resale. (Dependents **claiming** this exemption must be 21 years old.)

(2) Leave and temporary duty (TDY) personnel.

(a) An individual on leave or TDY **who** is returning to the CTUS, but not from an **oversea** extended duty station, may enter as a "returning resident."

★1. An individual entering the CTUS from areas other than American Samoa, Guam, and the Virgin Islands **of the US** may import duty-free personal or household use articles with a **total** retail value not **to** exceed \$300, PROVIDED that he/she has **remained** outside the CTUS for at least 48 hours, and has not claimed an **exemption** within 30 **days** prior **to his/her** "entry. Included in

this exemption is not more than one quart of alcoholic beverage per military or civilian employee of the US Government, and dependents 21 years of age or over, and not over 100 cigars and 200 **cigarettes**. Where members of a family residing in one household travel together on their return to the CTUS, the exemption **to** which the individual members of the family are entitled maybe grouped and **allowed** without regard **to which** member is the owner of the articles, except in the case of alcoholic **beverages** when a member has not attained the age of 21.

★2. An individual entering the CTUS from American Samoa, Guam, or the **Virgin** Islands of the US may import duty-free personal and household use articles with a total retail value not to exceed \$600 PROVIDED that he/she has not claimed an exemption within 30 days prior to **his/her** entry, and PROVIDED that not more than \$300 of the articles have been acquired elsewhere than in these areas. This exemption includes not more than one US gallon (128 fluid **ozs**) of alcoholic beverage per military or civilian employee of **the US** Government, and dependents 21 years of age or over, and not over 100 cigars and 200 cigarettes. Grouping of exemptions for families is as indicated in (a)(1) **above**. Duty free exemptions also apply to **articles** acquired in and sent directly from these locations.

★3. An individual entering the CTUS as a "returning resident" who does not meet the 48-hour and/or 30-day criteria, may import **duty-free** personal and household use articles, provided **that** the total value of all such articles being imported does not exceed \$25 (\$40 from American Samoa, Guam, and the Vii Islands of **the US**). This is an individual exemption and may not be grouped with other members of a family on one customs declaration. The following may not be exceeded: 50 cigarettes; 10 **cigars**; 4 **ounces** of alcoholic beverages; or 4 **ounces** of alcoholic perfume. If any article is **entered** which is subject **to** duty or tax, or if the total **value of all** articles exceeds **\$25** (\$40 from American Samoa, Guam, and the Virgin Islands of the **US**), **no** article **may** be exempted, from duty or tax.

Note. Individuals should refer to the reverse of DD Form 1S54 (fig. 4-1) for a detailed explanation of **exemptions and prohibited and restricted items**.

(b) An individual on leave or TDY, who is returning to the CTUS for a short visit or limited assignment from an oversea extended duty station, may enter as a "nonresident." As such, the individual may import free of duty—

1. Personal effects for one's own use while traveling, but not intended for another person, sale, or gift (such as, wearing apparel and toilet articles).

★2. No more than 50 cigars or 200 cigarettes or 3 pounds of smoking tobacco, or proportionate amounts of each.

3. Not over one quart of alcoholic beverage for personal consumption. (Only military or civilian employees of the US Government, and dependents 21 years of age or over may import alcoholic beverages.)

★4. No more than \$100 of articles for use as bona fide gifts for other persons. (No alcoholic beverages or tobacco products maybe included.) These articles must accompany the individual; the individual must not have used this gift exemption in the past 6 months, and the individual must remain in the CTUS for at least 72 hours.

★(c) Each passenger and crewmember will list on his declaration the price actually paid for dutiable articles acquired overseas, or the estimated foreign retail value of the articles acquired as gifts.

(d) All articles imported in the CTUS are subject to customs duty, unless specifically exempted by tariff laws. There is no provision under US law for the collection of duties or taxes until the merchandise has been imported. Accordingly, MCIs will not assess or collect duties or taxes. If duties are due, a US Customs officer will compute the amount of duty to be paid from the customs declaration when the passenger/crewmember arrives at the US port of entry.

(e) Immediately prior to baggage inspection/examination, the declaration of each passenger and crewmember will be checked for completeness. MCIs will assist passengers by clarifying the reverse side of the declaration when necessary. The date in block 14 of the completed DD Form 1854 will be used by US Customs at the US port of entry to determine personal duty-free exemptions.

(f) Upon completion of the baggage inspection/examination, the MCI will stamp the face of the DD Form 1854 with the Customs

Inspector stamp under the last item listed (at top line if no items are listed), affix his signature thereon, and return the form to the individual for presentation to the US Customs Service official at the US port of entry. Upon clearance, US Customs officials will retain the form for their records.

(g) When a restricted article or an article known or suspected not to be entitled to duty-free entry is found in a member's accompanied baggage/professional equipment, and is not removed by the owner, the MCI will draw a diagonal red line across the face of the DD Form 1854 to call its attention to US Customs or US Department of Agriculture officials at the port of entry in the US. The MCI will advise the member that the DD 1854 has been redlined, and the reason therefor.

(h) Personnel who have completed customs processing will be required to proceed directly to the sterile area without delay.

4004. Unit moves. a. *Predeparture inspection.* During unit moves, all baggage and passengers will be inspected or examined, as appropriate. After inspection/examination, baggage and passengers will be held in a sterile area until embarked. Unless otherwise directed by an appropriate deployment plan, the following procedures apply:

(1) Normally, for unit moves, accompanied baggage excess to immediate personal needs will be inspected/examined in the presence of a member by a Military Customs Inspection Team, 1 or 2 days prior to the unit departure. The baggage will remain secured from the time of inspection/examination until arrival at the US port of entry.

(2) Hand/cabin baggage will be inspected/examined by a Military Customs Inspection Team at the time passengers are processed into a sterile area for isolation until actual departure. If a sterile area is not available, a Military Customs Inspection Team will inspect/examine the personnel and the hand/cabin baggage at the ocean or air terminal immediately prior to embarkation.

(3) Declarations will be accomplished as described in paragraph 4003.

b. *Preclearance.* Units may, upon approval by US Customs and the US Department of Agriculture, be given a preclearance at the oversea departure point and thereby be permitted to enter the CTUS at a point other than a port of entry. Preclearance inspections will be more extensive than predeparture inspections and

will normally be accomplished under the technical supervision of US Customs Advisors or border clearance agency officials TDY to the oversea area.

(I) Requests for preclearance may be submitted by the airlift unit, the deploying unit, or the oversea command. Requests will be sent by message to HQDA, ATTN: DALO-TSP-C, WASH DC 20310, and will include the following:

- (a) Date, time, and place of arrival.
- (b) Number and type of aircraft or ships.
- (c) Number of passengers and amount and type of cargo, to include vehicles.

(2) DD Forms 1854 for each passenger/crewmember will be collected by the aircraft/ship crew and provided or sent to the most convenient US Customs Office following arrival in the CTUS.

**Note.* Customs procedures covering DoD-sponsored cargo, except personal property, are covered in chapter 5.

4005. **Reinspection/reexamination.** Passengers/crewmembers and their accompanied baggage,

even though inspected/examined overseas under this chapter, may be reinspected/reexamined at the US port of entry by US Customs officers or representatives of other Federal border clearance agencies to validate the results of the oversea inspection/examination. If prohibited articles are found upon reinspection/reexamination in the CTUS, a copy of the customs seizure report will be furnished to the local Service investigative agency for appropriate action, and to Department of the Army, as in paragraph 1006, for review and forwarding to the appropriate oversea command and military department.

4006. Passengers on commercial carriers. DoD and DoD-sponsored personnel, traveling to the CTUS on other than DoD-sponsored ships or aircraft, will not have their accompanied baggage inspected/examined prior to departure. They will be required to execute Customs Form 6059-B, provided by the carrier on the aircraft, and to go through normal customs clearance procedures at the first US port of entry.

27 May 1977

DOD 5030.49-R

US CUSTOMS ACCOMPANIED BAGGAGE DECLARATION

DATA ☐ EOI#RED BY THE PRIVACY ACT OF 1974

AUTHORITY:19 U.S.C. 1496

PRINCIPAL PURPOSE:To declare shipments of household goods, unaccompanied baggage, and privately owned vehicles for which free entry is claimed. Section A Owner customs declaration for type of shipment and reason for shipment. Section B - Military Customs Inspector certifies that property has been inspected/examined and provides customs inspector's stamp.

ROUTINE USES:(1) Use of your Social Security Number is proof of identification that person processing through Customs is not an imposter and also assist in criminal prosecution if contraband or undeclared articles, for which Customs fees are due, are found in shipment. (2) Origin transportation office and military customs inspector retain copies as proof that shipment has been properly processed. Copies are destroyed when no longer required.

DISCLOSURE:DISCLOSURE OF YOUR SSN IS VOLUNTARY. HOWEVER, FAILURE TO PROVIDE YOUR SSN AND OTHER REQUESTED PERSONAL INFORMATION MAY CAUSE DELAY IN PROCESSING THROUGH CUSTOMS, PENDING POSITIVE IDENTIFICATION.

1. FLIGHT NUMBER OR VESSEL NAME

2. PLACE OF ARRIVAL US

4. NO. OF PIECES OF BAGGAGE

3. DATE OF ARRIVAL (Day, Month, Year)

5. NAME (Last, first, middle initial)

6. GRADE/RANK

7. SECURITY NUMBER

8. UNIV ADDRESS OVERSEAS (Include APO)

9. ADDRESS IN US (Include ZIP Code)

10. PERSON(S) ON THIS DECLARATION (Check applicable boxes)

11. TOTAL NUMBER OF PERSONS COVERED BY DECLARATION

12. EXTENDED DUTY PCS PERSONNEL AND OTHERS ENTITLED TO PL 99-436

13. LEAVE, TDY AND TOURIST PERSONNEL ONLY

13. DATE OVERSEAS TOUR WHICH I AM NOW COMPLETING BEGAN

14. DATE OF LAST EXEMPTION UPON ENTERING THE UNITED STATES FROM A FOREIGN COUNTRY (Day, Month, Year)

15. COMPLETED BY DECLARANT

16. FOR CUSTOMS USE ONLY

15. ARE YOU OR ANYONE IN YOUR PARTY CARRYING OVER \$5000.00 IN CASH, CURRENCY, OR MONETARY INSTRUMENTS?

17. DECLARATION: I declare that the above list of items includes all items which I (we) have acquired abroad and is in my possession.

18. SIGNATURE OF DECLARANT AND DATE

19. DUTY COLLECTED

20. INTERNAL REVENUE TAX COLLECTED

21. TOTAL DUTY AND DIRT COLLECTED

22. CUSTOMS RECEIPT (CF 5104) NUMBER

23. CUSTOMS INSPECTOR'S SIGNATURE AND DATE

DD FORM 1854 APR 77 REPLACES DD FORM 1854, 1 OCT 72, AND DD FORM 1854 (PAS), 26 SEP 75, WHICH ARE OBSOLETE.

Figure .S-1

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INSTRUCTIONS; EXPLANATION OF EXEMPTION; RESTRICTED AND PROHIBITED ITEMS

1. **GENERAL.** This form is to be used by all persons (*passengers, military crew members, etc.*) entering the United States on a vessel or aircraft operated by or for the Department of Defense.

2. **TERMINATION OF EXTENDED DUTY ABROAD (EXEMPTION AUTHORIZED BY PL 89-436)** a. This public law authorizes military personnel and civilian employees of the US Government, and their accompanying dependents returning to the US under competent orders or instructions at the close of an extended assignment outside the territorial limits of the US, free entry of personal and household effects which were in your direct possession while abroad. You need not declare in item 15 all articles in your possession unless requested to do so by a Customs Officer. However, you must declare:

(1) Prohibited or restricted articles (*see below*).

(2) Any article which you are carrying as accommodation for someone else, and which is not intended for your personal use as a bona fide, unsolicited gift.

(3) All alcoholic beverages and tobacco products (*see below*).

b. Public Law 89-436 also provides for the free entry of 100 cigars and one US gallon of alcoholic beverages, with the following limitations:

(1) Three quarts of the alcoholic beverages must be of the US origin (*including the Virgin Islands of the US, Guam, and American Samoa*). Only 1 quart may be of foreign origin (*scotch, etc.*).

(2) The alcoholic beverages must accompany you upon your arrival in the United States. "

(3) *Dependent personnel must be at least 21 years old to qualify for the alcoholic beverage exemption, US military and civilian employees are exempt from this age requirement.*

(4) If you claim these exemptions you may not also claim the 1 quart allowed a returning resident.

3. **EXEMPTIONS AUTHORIZED AS A NONRESIDENT (LEAVE, TDY AND TOURIST).** a. A passenger on extended duty overseas entering the US for a visit in a leave or TDY status may enter as a "nonresident". As such, the passenger may import the following free of duty, declaring all articles required abroad in item 15:

(1) Personal effects for one's own use while traveling, but not intended for another person, sale or gift.

(2) 50 cigars or 300 cigarettes or 3 pounds of smoking tobacco, or proportionate amounts of each.

(3) One quart of alcoholic beverage for personal consumption.

(4) \$100 of articles for use as bona fide gifts provided that the articles accompany the passenger, no other gift exemption has been used within the past 6 months, and the passenger will be in the US for at least 72 hours. 100 cigars and one gallon of alcoholic beverages may be included in this gift exemption (*only adults may import alcoholic beverages*).

b. A military crew member may enter as a "non-resident" only if he is serving abroad on an extended tour of duty assignment. Otherwise he must enter as a "returning resident", with exemptions as stated in 4 below.

4. **EXEMPTIONS AUTHORIZED AS A RETURNING RESIDENT (LEAVE, TDY AND TOURIST).**

a. A passenger in a leave or TDY status returning to the US, not from extended duty overseas, may enter as a "returning resident". As such, he/she may import the following free of duty, declaring all articles acquired abroad in item 15:

a. If the passenger has remained outside the US for at least 48 hours, and has not claimed any exemption within 30 days prior to entry, personal or household-use articles of aggregate value not to exceed \$100 (\$200 from Guam, American Samoa or the Virgin Islands of the US), to include not more than one quart of alcoholic beverage per person over 21 years of age.

b. If a passenger fails to meet the 48-hour/30 day criteria in 4a above, personal or household-use articles of aggregate retail value not to exceed \$10 (\$20 from Guam, American Samoa or the Virgin Islands of the US). This exemption may include up to 50 cigarettes, 10 cigars, 1/2 pound of tobacco and 4 ounces of alcoholic beverage or alcoholic perfume. If the total retail value of all articles exceeds this exemption, all articles are subject to duty.

5. **PROHIBITED ITEMS.** Narcotic, marijuana, hashish, and other controlled substances; obscene materials; articles originating in Cambodia, Cuba, Vietnam, North Korea or Rhodesia; printed matter advocating insurrection or treason toward the US; and lottery tickets.

6. **RESTRICTED ITEMS.** Personal firearms and ammunition, switchblade knives, foreign articles bearing/simulating US trademarks recorded with US Department of Treasury, fruits, vegetables, plants and plant products, pets, livestock, meat, poultry and poultry products. All of these items must meet special entry requirements and will be detained at the port of entry until these requirements are met.

Figure 1-1-Cent.inuerL